

PATENT
Serial No: 09/943,262
Docket No: 1743-193

REMARKS

Claims 1-12 are pending. By this amendment, claims 1-11 are amended.

The Office Action objects to claim 5 due to an informality. Claim 5 has been corrected and withdrawal of the rejection is requested.

The Office Action rejects claims 1-12 under 35 USC 103 over Kakibayashi (US Pat. 5,866,905) in view of Hosoki (US Pat. 3,714,422). This rejection is respectfully traversed.

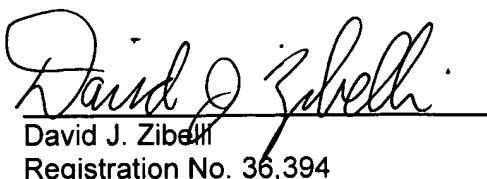
As admitted in the Office Action, Hosoki does not disclose different beam portions converging at one point on the sample simultaneously. Further, this deficiency is not overcome by Kakibayashi. Accordingly, even if combined, the applied references would not render obvious any of the claims. Withdrawal of the rejection is requested.

For the above reasons, it is submitted that the application is in condition for allowance. Prompt consideration and allowance are solicited.

The Examiner is invited to contact the undersigned at (202) 220-4232 to discuss any matter concerning this application.

The Office is authorized to charge any additional fees under 37 C.F.R. § 1.16, § 1.17 or § 1.136, or credit any overpayment to Deposit Account No. 11-0600.

Respectfully submitted,



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